

KATHLEEN BLISS, ESQ.
Nevada Bar No. 7606
kb@kathleenblisslaw.com
KATHLEEN BLISS LAW PLLC
1070 West Horizon Ridge Parkway., Suite 202
Henderson, Nevada 89012
Telephone: 702.463.9074

Attorney for Cole Lusby

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

COLE LUSBY,

Defendant.

CASE NO. 2:18-cr-00136-APG

**STIPULATION TO CONTINUE
SENTENCING HEARING
(Third Request)**

IT IS HEREBY STIPULATED by and between Kathleen Bliss, Esq., counsel for Defendant Cole Lusby, and Elham Roohani, Assistant United States Attorney, that the Sentencing Hearing currently scheduled for August 19, 2021, at 1:30 p.m., be vacated and set to a date and time convenient to this Court, but no sooner than 45 days.

The stipulation is entered for the following reasons:

1. On February 26, 2021, Mr. Lusby entered a plea of guilty to the superseding indictment, charging him with failure to register as a sex offender, in violation 18 U.S.C. § 2250(a). ECF No. 133.

2. Defendant's counselor, Pauline Hildreth, is still treating Mr. Lusby as a condition of his supervision in a related case. Counselor, Pauline Hildreth, has asked the defendant to complete tasks expected to take 3-4 weeks and, if completed, will be providing documentation to the Court certifying Defendant's successful completion of treatment. Furthermore, a mitigation

1 video has not been finalized as the presentation may be impacted by a successful discharge from
2 treatment, so allowing the process to conclude is important to Mr. Lusby's mitigation
3 presentation to this Court. Upon completion of both, the United States and Probation should
4 have adequate time to review and respond accordingly.

5 4. Defendant is not in custody and agrees to the proposed continuance.

6 3. Both parties agree to this continuance.

7 4. Denial of this request for a continuance would deny counsel for Mr. Lusby
8 sufficient time to effectively and thoroughly prepare for sentencing, taking into account due
9 diligence. Accordingly, a denial of this request for continuance could result in a miscarriage of
10 justice.
11

12 Dated this 27th day of July 2021.

13
14
15
16 /s/ Elham Roohani
17 ELHAM ROOHANI, ESQ.
18 Assistant U.S. Attorney
19
20
21
22
23
24
25
26
27
28

/s/Kathleen Bliss
KATHLEEN BLISS ESQ.
Counsel for Cole Lusby

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

COLE LUSBY,

Defendant.

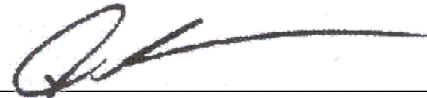
CASE NO. 2:18-cr-00136-APG-PAL

ORDER

Based upon the stipulation of the parties, and good cause appearing, it is hereby ORDERED that Mr. Lusby's sentencing hearing set for August 19, 2021, be, and the same hereby is, VACATED.

IT IS FURTHER ORDERED that the sentencing hearing is reset for October 28, 2021, at the hour of 1:30 p.m. in courtroom 6C.

Dated this 27th day of July, 2021.



THE HONORABLE ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE